

Collaborative Court-County Working Group on Enhanced Collections

Bringing in Fines, Fees, and Penalties

Courts have varied widely in the priority they have given to collecting fines, penalties, and fees. There have been no uniform collection standards or guidelines, and each court has had its own method of assessing success. As fiscal year 2004–2005 began, uncollected court-ordered payments were estimated at \$3 billion.

In his 2003 [State of the Judiciary address](#), Chief Justice of California Ronald M. George called collection of court debt a top priority, and the Judicial Council responded by establishing a Collaborative Court-County Working Group on Enhanced Collections. The working group brought together representatives of the following groups:

- Trial court judges
- Trial court executive officers
- [California State Association of Counties](#)
- [Franchise Tax Board](#)
- [Department of Corrections](#)
- [California Youth Authority](#)
- [Victim Compensation and Government Claims Board](#)
- [State Controller's Office](#)
- [Administrative Office of the Courts](#)

The working group formed subcommittees to deal with different aspects of collections and held workshops on salient issues. In August 2004 the Judicial Council adopted several policies on collections, based on the working group's recommendations.

- It approved a definition of delinquent accounts or payments.
- It issued standards for discharging court-ordered debt.
- It directed trial courts and counties to establish joint "enhanced collection and compliance coordination" committees.
- It directed courts and counties to collaborate in submitting midyear and year-end reports on Judicial Council–approved templates.
- It called for legislation to allow courts, as well as counties, to charge a fee for setting up installment payments and to increase the fee from \$35 or less to \$50 or less.

Components Needed for a Successful Collections Program

- Credit reports on debtors
- Monthly statements to debtors
- Access to [Employment Development Department](#) reports
- Skip tracing
- Acceptance of credit card payments
- Participation in the Franchise Tax Board's Court-Ordered Debt program

- It established a subcommittee of the working group to develop standards and guidelines for courts to follow in approving or denying fee waivers.

Under the Penal Code, courts that establish a comprehensive collections program, by meeting at least 10 of 17 criteria set forth in the code, can be reimbursed for the operating costs of collecting delinquent court-ordered payments; and the state has contracts with four private collections vendors to help courts and counties with debts that are deemed hard to collect.

Impacts

- Several courts and counties have established or enhanced their collection programs.
- The working group's Fee Waiver Subcommittee is developing ways to ensure that the primary goal of fee waivers is access to the courts and that the fee waiver process is applied to all parties with integrity and uniformity.
- The Reporting Subcommittee has been gathering comments, experiences, and recommendations from courts and counties about the reporting template, with an eye to revising and improving the template, if warranted.
- The Statewide Request for Proposal Subcommittee helps courts and counties choose a collections vendor based on their specific needs.
- The Standard Fine Schedule Subcommittee is developing software to give courts quick access to data on mandatory and discretionary fines, fees, and assessments in infractions, misdemeanors, and felonies. The program will become part of the California Case Management System.

**Judicial Council, Administrative Office of the Courts,
2255 North Ontario Street, Suite 200, Burbank, CA 91504**

**Project contact: Jessica B. Lee, Manager, Southern Regional Office,
818-558-3068, jessica.lee@jud.ca.gov**